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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,548	09/20/2001	Tomohiro Igakura	P/1866-65	5904

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EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/960,548	Applicant(s) IGAKURA, TOMOHIRO	
	Examiner Susan Y Chen	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/28 & 8/27, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This office action is in responsive to the supplemental amendment filed on 08/27/2004.

Claims 1-17 are pending for examination; claims 1-3 and 7-9 have been amended as filed on 07/28/2004, and claim 1 has been further amended as filed on 08/27/2004.

Claims 1-3, 7 and 12, are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,560,631 issued to Ishihara et al. (hereinafter referred as Ishihara).

As to claims 1 and 7, Ishihara discloses a file management system with means and method to manage files comprising:

managing a plurality of files having the same file title but different contents as separate files [e.g., col. 6, lines 21-26]; and

managing a plurality of files have the same content but different titles as a single file [e.g., the local copies of remote data and program files (col. 7, lines 6-13) have the same content but different titles as managed by the cache management table (Fig. 12) as a single file].

As to claims 2 – 3 and 12, Ishihara discloses a file management system [e.g. col. 2, lines 15 –36] with means and method to perform the following steps as claimed by applicant:

a) a GUI interface [e.g., the GUI interface of each terminal station at col. 9, lines 39-42] coupled to the data processor [e.g., the Process Execution Unit 3, Fig. 1] and system users, wherein, the GUI interface in response to the user's request / input will register or retrieve registered files [e.g., col. 12, lines 1-7, Fig. 8, col. 11, lines 54-61; Fig. 15 and associated text];

b) a memory unit including a correspondence table [e.g., the tables: 172aa, Fig. 9, 172ab, Fig. 10, 172ac of Fig. 11 and 173a, Fig. 12], in which correspondence relationships of file titles, file ID and managing IDs are recorded [e.g., col. 9, lines 55 – col. 10, line 32]; and a file memory [e.g., the Cache management table 173a, Fig. 12], in which managing IDs and files are recorded [col. 10, lines 42-49];

c) a data processor [e.g., the process execution unit 3, Fig. 1, the multiprocessors, col. 5, lines 9-14] including:

means for producing a new managing ID [e.g., see the three-level standard data creating processes, Fig. 4] and registering, in the file memory, the new managing ID and a file to be registered [e.g., Fig.(s) 4-6 and associated texts, col. 12, lines 1 – 16];

means for deleting the managing ID and the registered file from the file storage for duplicated files [col. 2, lines 8-10, col. 4, lines 3-22, S41-S43, Fig. 19; col. 14, lines 39-46];

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means for retrieving the file memory with managing IDs to get corresponding files [e.g., col. 2, lines 29-36, Fig. 20 and associated texts];

means for sending the obtained files to a file output unit [e.g., the CORBA architecture, col. 11, lines 54-57];

means for comparing a file content to be registered with the registered file in the memory [e.g., col. 13, lines 12-16];

means for registering the file ID, file title and new managing IDs [e.g., the step S1, Fig. 15];

means for updating a correspondence table, if a same content file has been registered in the memory [e.g., col. 12, lines 1-16; col. 13, lines 19-28];

means for retrieving a corresponding table [e.g., the created link of 172a, 173a, S32, Fig. 18; col. 14, lines 47-55];

d) the file output unit sending out, to the file request input unit, the file corresponding to the requested file title and ID from the input unit as delivered from the data processor [e.g., col. 10, lines 33 – 41].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6, 8-11 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,560,631 issued to Ishihara et al. (hereinafter referred as Ishihara), in view of U.S. Patent No. 5,109,511 issued to Nitta et al. (hereinafter referred as Nitta).

As to claims 4 and 13, Ishihara discloses all the features as recited in claims 2 and 3, except he fails to specifically teach the memory unit including hash tables in which relationships of hash value of files and managing IDs are recorded, such that the processor can use the hash table to retrieve, register and verify the contents of the associated files as claimed by applicant.

However, Nitta discloses a memory unit including hash tables as claimed by applicant for a multi-task processor [col. 3, line 40-45] to manipulating the associated data elements in file system as claimed by applicant [e.g., Abstract, the unit 20, Fig. 1; Fig.(s) 4-12 and associated texts].

Therefore, with the teachings of Ishihara and Nitta in front of him/her, an ordinary skilled artisan at the time the invention was made would be motivated to modify the file management system Ishihara with the hash tables as taught by Nitta, because by doing so, the combined system processor will be able to management of data suitable for high-speed access to a large quantity of files without lock operation under the multiprocessor environment or the multi-task processing environment [e.g., Nitta: Abstract, lines 14-18]. Furthermore, the use

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of counter data hold in the hash tables for confirming that during the processing of registration of a certain data element by a certain process the processing of registration of another data element having the same home position as the certain data element is not performed in parallel by another process. The provision of the registration counter makes it possible to prevent double registration of the same data element into the hash table. Also, since one registration counter is provided not for the whole of the hash table but for each table entry, the probability of occurrence of collision in access to the registration counter can be reduced [Nitta: col. 2, lines 16 – 42].

As to claims 5 and 14, the combined system discloses all the features as claimed in claims 4 and 13, it further discloses that the hash tables are each provided for each file title, and the hash table retrieving means decides, if no same title file as the file title of the any retrieved file has been registered in the file memory, that no hash table retrieval result is present, and retrieves, if a same title file has been registered in the file memory, the hash table corresponding to the file title of the same title file with the hash value of the pertinent file to be registered used as a key value [e.g., Nitta: Fig. 12 and associated text].

As to claim 6 and 15, the combined system discloses all the features as claimed in claims 4 and 13, the combined system further discloses that only a single hash table is provided for all file titles [e.g., the hash table 30, Fig. 1].

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As to claims 8-11 and 9-16, these claims recited the same subject matters as claims 2-6 and 13-15 in form of method, since the features of these claims have been disclosed or suggested by the combined system as discussed above, hence these claims are rejected for the same reason.

Response to Arguments

Applicant's arguments filed on 08/27/2004 have been fully considered but they are not persuasive.

The examiner disagrees with applicant argument that "Ishihara can not utilize in a situation that files have the same content are registered separately."

In response to applicant's arguments that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., files have the same content are registered separately) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, even if the features were claimed, they read by the "cached files" [e.g., col. 7, lines 6-13] that are registered (or recorded) separately in the cache management table [e.g., 173a, Fig. 12] as a single file as disclosed by Ishihara.

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Thus, based on the above discussion, in contrast to applicant arguments, Ishihara's prior art reads the claimed features.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2161

January 23, 2005


UYEN LE
PRIMARY EXAMINER